

March 11, 2003

Tim Kirschbaum, Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Sesser, Illinois 62884

Re: Approval of Revised Mine Plan, Consolidation Coal Company, Emery Deep Mine,
C/015/015-AM02E, Outgoing File

Dear Mr. Kirschbaum:

The above-referenced amendment is approved effective March 10, 2003. A stamped incorporated copy is enclosed for your copy of the Mining and Reclamation Plan.

If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron Haddock
Permit Supervisor

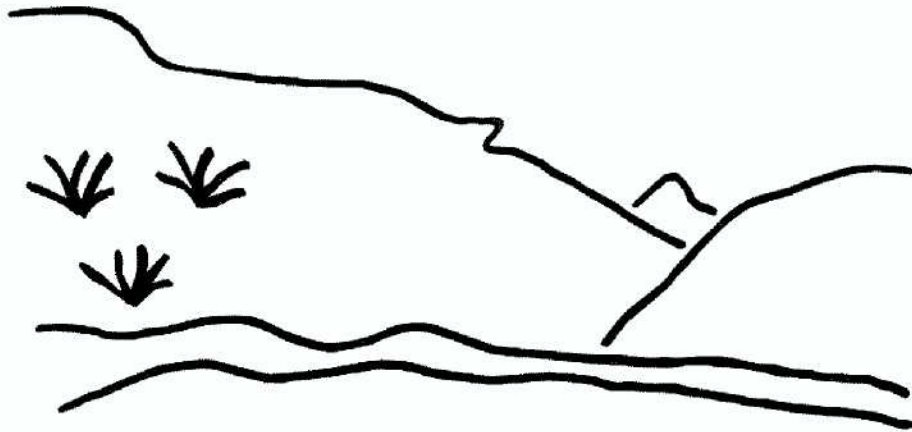
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Enclosure

cc: Ranvir Singh, OSM
Pat Gubbins, BLM
Mark Page, Water Rights w/o
Dave Ariotti, DEQ w/o
Deris Jones, DWR w/o
Price Field Office

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State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Emery Deep
Revised Mine Plan
C/015/015-AM02E-1
Technical Analysis
March 10, 2003

TECHNICAL ANALYSIS

The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977 (SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

INTRODUCTION

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On December 12, 2002, the Division received amendment AM02E for the Emery Deep Mine. The amendment deals specifically with a modification of the mine plan. The Division found the original submittal deficient and on February 11, 2003 the Permittee resubmitted the amendment.

OPERATION PLAN

OPERATION PLAN

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence Control Plan

A subsidence control plan for the Emery Deep Mine was developed before the new mine layout. The approved subsidence control plan shows areas where subsidence was not permitted due to alluvial valley floors, stream buffer zones or structures. See Plate V-5 for details.

The Permittee submitted revised maps, including Plate V-5, Subsidence Monitoring Points and Buffer Zones. That map shows the alluvial valley floor and stream buffer zones along with the subsidence monitoring points. The Division reviewed the maps and found them to be adequate for showing where subsidence will occur.

The mine projects show areas outside the permit boundaries. The Division assumes that no mining will take place outside the permit boundary. The mine plan show is based on the assumption that additional areas will be permitted. The Division will accept this standard practice.

Findings:

The information provided in the Amendment AM02E-1 is considered adequate to meet the minimum requirements of the subsidence regulations.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mine Workings Maps

Plate IV-2, UG Operations Plan, shows the locations and extent of the known mine workings of the proposed operational areas and inactive or abandoned underground mine

workings. In addition, the Permittee also included area of future mining. Some of the areas of future mining appear to be outside the permit boundary.

Certification Requirements

James Hinz, a registered profession engineer, has certified the mine map.

Findings:

The information provided in the Amendment AM02E-1 is considered adequate to meet the minimum requirements of the maps, plans and cross-sections regulations.